

Exhibit D

Disallowance of Application for Leave to Appeal to the Board of Appeals, dated March 12, 2004

**STATE BOARD OF APPEALS
DEPARTMENT OF INDUSTRIAL RELATIONS
MONTGOMERY, AL 36131**



DISALLOWANCE OF APPLICATION FOR LEAVE TO APPEAL TO THE BOARD OF APPEALS

B. A. CASE NO. 5200

AT. CASE NO. 18357-AT-03

S. S. 416-88-4355

CLAIMANT:

PATRICK A BAILEY
PO BOX 1805
ALEXANDER CITY AL 35011-1805

EMPLOYER:

MILTOPE CORPORATION
C/O PAYROLL DEPT
500 RICHARDSON RD S
HOPE HULL AL 36043-4022

The Board of Appeals after reviewing the record and the application for leave to appeal to the Board of Appeals, hereby denies said application.

YOUR APPEAL RIGHTS ARE AS FOLLOWS:

Ala. Code §25-4-94 (1992), Any decision of the Board of Appeals, in the absence of an appeal therefrom as provided in this article, shall become final 10 days after the date notification thereof shall have been mailed, postage prepaid, to the parties to the proceeding, at their last known addresses. The Director shall be deemed to be a party to all such proceedings and to any judicial action involving any such decision.

Ala. Code §25-4-95 (1992), Appeals from final decision of Board of Appeals or appeals tribunal. - Within 30 days after the decision of the Board of Appeals has become final, any party to the proceeding including the director who claims to be aggrieved by the decision may secure a judicial review thereof by filing a notice of appeal in the circuit court of the county of the residence of the claimant; except, that if the claimant does not reside in this state at the time the appeal is taken, the notice of appeal shall be filed in the circuit court of the county in this state in which the claimant last resided, or in the circuit court of the county in this state wherein the claimant last worked. In such action, the notice of appeal need not be verified, but shall state the grounds upon which a review is sought. A copy shall be served upon the Director or upon such person as the Director may designate (and for the purpose hereof, mailing a copy addressed to the director at Montgomery by registered or certified mail shall be deemed service on the Director), and such service shall be deemed completed service on all parties, but there shall be left with the parties so served as many copies of the notice of appeal as there are defendants, and the Director shall forthwith mail one copy to each defendant. . .

Ala. Code §25-4-96 (1992), Procedure exclusive. - The procedure provided in this article for the making of determinations with respect to claims for unemployment compensation benefits and for appealing from such determinations shall be exclusive.

Done this 12th day of March 2004
And service made on parties of interest

this date VIA U. S. Mail.

Certified a true and correct copy:

Fronzena W. Webster, Officer
Board of Appeals

cc: Claimant
Employer
Local Office - ALEX CITY
Appeals File
Derrick Blythe, Attorney at Law
126 Marshall Street
Alexander City AL 35010

ALTERNATE CHAIRMAN

ALTERNATE ASSOCIATE MEMBER

ASSOCIATE MEMBER